

WEDNESDAY, FEBRUARY 28, 1990

SEVENTY-FIRST LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Bobby G. Johnson, Laguardo Baptist Church, Lebanon, Tennessee.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 95

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Whitson was excused to take care of business at home.

REPORTS FROM STANDING COMMITTEES

REPORT OF COMMITTEE ON CALENDAR AND RULES  
February 27, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular

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**Calendar for Wednesday, February 28, 1990:** House Bill(s) No(s). 2507, 2510, 2166, 2131, 1799, 1714, 1716, 1920, 1661, 2206, 1746, 2032, 2224, 877, 1789 and 2315; also, House Joint Resolution(s) No(s). 615.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, March 5, 1990:** House Bill(s) No(s). 2048, 1745, 2436 and 1788; also, House Joint Resolution(s) No(s). 544 and 542.

PHILLIPS, Chairman.

**AGRICULTURE COMMITTEE  
February 27, 1990**

MR. SPEAKER: Your Agriculture Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1847 and 2448 (with amendment).

STALLINGS, Chairman.

Under the rules, House Bill(s) No(s). 1847 and 2448 (with amendment); was/were transmitted to the Calendar and Rules Committee.

**COMMERCE COMMITTEE  
February 27, 1990**

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1195 (with amendment), 1684 (with amendment), 1995 (with amendment), 2205 (with amendment), 2225, 2321, 2322 and 2408 (with amendment).

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 2088 (with amendment) be referred to the Finance, Ways and Means Committee.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 1195 (with amendment), 1684 (with amendment), 1995 (with amendment), 2205 (with amendment), 2225, 2321, 2322 and 2408 (with amendment) was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 2088 (with amendment) to the Finance, Ways and Means Committee.

**EDUCATION COMMITTEE  
February 27, 1990**

MR. SPEAKER: Your Education Committee begs leave to report that

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we have carefully considered and recommend for passage: House Bill(s) No(s). 2159, 2200 and 2451; for adoption: House Joint Resolution(s) No(s). 588 and 613.

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 1981 and 2487 be referred to the Finance, Ways and Means Committee.

DAVIDSON, Chairman.

Under the rules, House Bill(s) No(s). 2159, 2200 and 2451; also, House Joint Resolution(s) No(s). 588 and 613 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72** the Speaker referred House Bill(s) No(s). 1981 and 2487 to the Finance, Ways and Means Committee.

**FINANCE, WAYS AND MEANS COMMITTEE**  
**February 27, 1990**

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1235 (with amendment), 1497, 1840 (with amendment), 2106 (with amendment), 2221 and 2223.

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 1235 (with amendment), 1497, 1840 (with amendment), 2106 (with amendment), 2221 and 2223 was/were transmitted to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS COMMITTEE**  
**February 27, 1990**

MR. SPEAKER: Your Government Operations Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1605, 1606, 1607 (with amendment), 1610, 1611 (with amendment), 1612, 1613, 1614, 1616, 1617 (with amendment), 1619 (with amendment), 1620 (with amendment), 1624 (with amendment), 1625 (with amendment), 1663 (with amendment), 1667 (with amendment), 1670 (with amendment), 1672 (with amendment), 1675 (with amendment), 1678 (with amendment), 1689 (with amendment), 1690 (with amendment), 1691 (with amendment) and 1700.

KING, Chairman.

Under the rules, House Bill(s) No(s). 1605, 1606, 1607 (with amendment), 1610, 1611 (with amendment), 1612, 1613, 1614, 1616, 1617 (with amendment), 1619 (with amendment), 1620 (with amendment), 1624 (with amendment), 1625 (with amendment), 1663 (with amendment), 1667 (with amendment), 1670 (with amendment), 1672 (with amendment), 1675 (with amendment), 1678 (with amendment), 1689 (with amendment), 1690 (with amendment), 1691 (with amendment) and 1700 was/were transmitted to the Calendar and Rules Committee.

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**JUDICIARY COMMITTEE  
February 27, 1990**

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 925, 1639 (with amendment), 1871 (with amendment), 1928, 1999, 2028, 2114, 2134, 2196, 2299 and 2310 (with amendment).

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 925, 1639 (with amendment), 1871 (with amendment), 1928, 1999, 2028, 2114, 2134, 2196, 2299 and 2310 (with amendment) was/were transmitted to the Calendar and Rules Committee.

**STATE AND LOCAL GOVERNMENT COMMITTEE  
February 27, 1990**

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1556 (with amendment), 1604 (with amendment), 1633, 1719, 1749 (with amendment), 1750 (with amendment), 1859, 1890, 1971 (with amendment), 1988, 2012, 2167 (with amendment), 2337, 2392 (with amendment), 2400, 2429, 2452 and 2539; for adoption: House Joint Resolution(s) No(s). 549.

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 1403 and 2358 be referred to the Finance, Ways and Means Committee.

LOVE, Chairman.

Under the rules, House Bill(s) No(s). 1556 (with amendment), 1604 (with amendment), 1633, 1719, 1749 (with amendment), 1750 (with amendment), 1859, 1890, 1971 (with amendment), 1988, 2012, 2167 (with amendment), 2337, 2392 (with amendment), 2400, 2429, 2452 and 2539; also, House Joint Resolution(s) No(s). 549; was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 1403 and 2358 to the Finance, Ways and Means Committee.

**TRANSPORTATION COMMITTEE  
February 27, 1990**

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1645 (with amendment), 1766 (with amendment), 1984 (with amendment), 2364, 2551 (with amendment), 2558 and 2568; for adoption: House Joint Resolution(s) No(s). 620.

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We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 1809, 1913 (with amendment), 2222 (with amendment) and 2320 (with amendment) be referred to the Finance, Ways and Means Committee.

ROBB ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 1645 (with amendment), 1766 (with amendment), 1984 (with amendment), 2364, 2551 (with amendment), 2558 and 2568; also, House Joint Resolution(s) No(s). 620; was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 1809, 1913 (with amendment), 2222 (with amendment) and 2320 (with amendment) to the Finance, Ways and Means Committee.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
February 28, 1990**

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the **Regular Calendar for Thursday, March 1, 1990**: House Bill(s) No(s). 1992, 2022, 1777, 1646, 2357, 1807, 1812, 1874, 1873, 1877, 1868, 1502, 1121 and 2203.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, March 5, 1990**: House Bill(s) No(s). 1892; also, House Resolution(s) No(s). 94.

Pursuant to **Rule No. 72**, House Bill(s) No(s). 2089 and 2515 were referred to the Finance, Ways and Means Committee.

PHILLIPS, Chairman.

**CONSERVATION AND ENVIRONMENT COMMITTEE  
February 28, 1990**

MR. SPEAKER: Your Conservation and Environment Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 174, 1559 (with amendment), 1735, 1914 (with amendment), 1972 (with amendment), 1994, 2217 (with amendment), 2247, 2251, 2386 (with amendment) 2434 and 2512 (with amendment); and for adoption, House Joint Resolution(s) No(s). 561.

HILLIS, Chairman.

Under the rules, House Bill(s) No(s). 174, 1559 (with amendment), 1735, 1914 (with amendment), 1972 (with amendment), 1994, 2217 (with amendment), 2247, 2251, 2386 (with amendment), 2434 and 2512 (with amendment); also House Joint Resolution(s) No(s). 561 was/were transmitted to the Calendar and Rules Committee.

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**GENERAL WELFARE COMMITTEE**  
**February 28, 1990**

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1929, 2294 (with amendment), 2296, 2346, 2458 and 2546.

STARNES, Chairman.

Under the rules, House Bill(s) No(s). 1929, 2294 (with amendment), 2296, 2346, 2458 and 2546 was/were transmitted to the Calendar and Rules Committee.

**LABOR AND CONSUMER AFFAIRS COMMITTEE**  
**February 28, 1990**

MR. SPEAKER: Your Labor and Consumer Affairs Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1708 and 2178.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 2143 (with amendment) be referred to the Finance, Ways and Means Committee.

CHRIS TURNER, Chairman.

Under the rules, House Bill(s) No(s). 1708 and 2178 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2143 (with amendment) to the Finance, Ways and Means Committee.

**MESSAGE FROM THE GOVERNOR**  
**February 26, 1990**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 1744, per your request.

DAVID H. WELLES,  
Counsel to the Governor.

**MESSAGE FROM THE SENATE**  
**February 26, 1990**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1824; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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SIGNED  
February 26, 1990

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1824.

MESSAGE FROM THE GOVERNOR  
February 26, 1990

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 501 and 2174; also, House Joint Resolution(s) No(s). 609, 610, 624 and 629; with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

MESSAGE FROM THE SENATE  
February 27, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1643 and 2087; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

\*Senate Bill No. 1643 -- Liens -- Requires owner-occupant of a single family residence be notified by subcontractor and material supplier to preserve lien rights; requires notice to contain certain information. Amends TCA, Title 66, Ch. 11.

\*Senate Bill No. 2087 -- Taxes, Privilege -- Increases privilege tax on marriage. Amends TCA, Title 67, Ch. 4.

ENROLLED BILLS  
February 27, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1578, 1817, 1979, 2188, 2195, 2410 and 2579; also, House Joint Resolution(s) No(s). 633 and 645; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

SIGNED  
February 27, 1990

The Speaker announced that he had signed the following: House Bill(s) No(s). 1578, 1817, 1979, 2188, 2195, 2410 and 2579; also,

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House Joint Resolution(s) No(s). 633 and 645.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

#### REGULAR CALENDAR

**\*House Bill No. 1815** -- Banks and Financial Institutions -- Authorizes interstate banking; removes regional limitation. Amends TCA, Title 45, Ch. 12.

Rep. Rhinehart moved that House Bill No. 1815 be reset to the Calendar for Thursday, March 1, 1990, which motion prevailed.

**House Bill No. 1275** -- Taxes, Real Property -- Requires payments in lieu of taxes by persons who lease governmental property to develop and operate certain recreational properties. Amends TCA, Title 67.

On motion, House Bill No. 1275 was made to conform with Senate Bill No. 1357.

On motion, **Senate Bill No. 1357**, on same subject, was substituted for House Bill No. 1275.

Rep. Anderson moved that **Senate Bill No. 1357** be passed on third and final consideration.

Rep. Anderson moved to amend as follows:

#### Amendment No. 1

Amend Senate Bill No. 1357 by deleting from Section 2 the words "applied in any" and substituting instead the following new words:

applied to leases of property in effect on the effective date of this act or in any

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Anderson moved that **Senate Bill No. 1357**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	1
Present and not voting. . . . .	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross,



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Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Cain -- 1.

Representatives present and not voting were: Nuber, Williams -- 2.

A motion to reconsider was tabled.

**House Bill No. 1699** -- Teachers -- Establishes mechanism for payment of certain career ladder supplements. Amends TCA 49-5-5011.

On motion, House Bill No. 1699 was made to conform with Senate Bill No. 1753.

On motion, **Senate Bill No. 1753**, on same subject, was substituted for House Bill No. 1699.

Rep. Henry (Roane) moved that **Senate Bill No. 1753** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

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**\*House Joint Resolution No. 0514 -- Highway Signs --**  
Redesignates newly constructed bridge in Perryville as "Sgt. Alvin C. York Bridge".

Rep. McDaniel moved that House Joint Resolution No. 514 be adopted, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 1598 -- Civil Procedure --** Expands time allowed for judicial or deed of trust sale on sale day. Amends TCA 35-5-109, 108.

Rep. Phillips moved that House Bill No. 1598 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**House Bill No. 1886 -- Dentists --** Upgrades occupational regulatory status of dental hygienists; revises powers of board. Amends TCA, Title 63, Ch. 5.

Rep. Davidson moved that House Bill No. 1886 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron,

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Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 89.

Representatives voting no were: Burchfield, Scruggs, Severance -- 3.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 1886 and have this statement entered in the Journal.

Rep. Joe Burchfield

**REGULAR CALENDAR, CONTINUED**

House Bill No. 2099 -- Juries and Jurors -- Increases grand jury foreman's compensation.

Rep. Naifeh moved that House Bill No. 2099 be reset two weeks to the Calendar for Wednesday, March 14, 1990, which motion prevailed.

House Bill No. 2507 -- Lobbying, Lobbyists -- Requires report for disclosure of certain clients. Amends TCA, Title 2, Ch. 10; Title 3, Ch. 6.

Rep. Naifeh moved that House Bill No. 2507 be passed on third and final consideration.

Rep. Naifeh moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 2507 by deleting Section 3 in its entirety and renumbering subsequent sections accordingly.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Naifeh moved that House Bill No. 2507, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Haun -- 1.

A motion to reconsider was tabled.

House Bill No. 2510 -- General Assembly -- Establishes functions for which members are eligible for expenses. Amends TCA 3-1-106, 107.

Rep. Naifeh moved that House Bill No. 2510 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	80
Noes. . . . .	13
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Good, Gunnels, Harrill, Hassell, Head, Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Nuber, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 80.

Representatives voting no were: Callicott, Cole, Givens, Halteman, Haun, Holcomb, Moody, Niceley, Odom, Severance, Stamps, Wolfe, Wood -- 13.

Representatives present and not voting were: Henry (Putnam)  
-- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2166 -- Utilities, Utility Districts -- Permits referendum on ouster of commissioners of water utility district in certain counties. Amends TCA 7-82-307.**

Rep. Naifeh moved that House Bill No. 2166 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee amendment as follows:

**Amendment No. 1**

Amend House Bill No. 2216 by adding the following section before the effective date section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ Tennessee Code Annotated, Section 7-82-307, is amended by adding the following new subsection:

( ) For any utility district serving less than three thousand (3,000) water customers, as certified in the special report to the ninety-sixth general assembly of selected financial information on public utility districts in Tennessee published by the comptroller of treasury of the state of Tennessee, dated November 1, 1989, in any county having a population of not less than sixty-seven thousand three hundred (67,300) nor more than sixty-seven thousand four hundred (67,400) according to the 1980 federal census or any subsequent federal census, the board of commissioners shall consist of seven (7) members. The county executive shall appoint the new commissioners to the board within thirty (30) days of enactment of this act. In addition, if a vacancy occurs or a term expires, the county executive shall appoint a person to serve as a commissioner for the utility district's board of commissioners. To be eligible for an appointment under this subsection, a person shall be:

- (1) A customer of the utility district; and
- (2) A resident within the area served by the utility district.

Nothing in this act shall be construed to abridge the term of any present member of the board of commissioners nor affect any public utility district in the same county that has been acquired by or merged with a municipally owned or county owned public utility district.

Nothing in this act shall be construed to affect a municipally owned or county owned public utility district or any other public utility district chartered by and operated by the provisions of this title serving more than three thousand (3,000) water customers and less than one hundred (100) sewer customers, as certified by the special report referred to in this section, or any other public utility district serving gas customers, in such county.

On motion, Amendment No. 1 was adopted.

Rep. Winningham moved to amend as follows:

Amendment No. 2

Amend House Bill No. 2166 by adding before the effective date section the following new section:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 7-82-307(f)(1), is amended by deleting the last sentence and by substituting instead the following:

As used in this subsection, "customer" means any person who receives bills for services from the water utility district and pays money for such services.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Naifeh moved that House Bill No. 2166, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

WEDNESDAY, FEBRUARY 28, 1990 -- SEVENTY-FIRST LEGISLATIVE DAY

Representatives present and not voting were: Givens, Henry (Roane), Nuber -- 3.

A motion to reconsider was tabled.

**House Bill No. 2131 -- Smoking --** Establishes state policy on smoking. Amends TCA, Titles 4, 8, 49.

On motion, House Bill No. 2131 was made to conform with Senate Bill No. 2092.

On motion, **Senate Bill No. 2092**, on same subject, was substituted for House Bill No. 2131.

Rep. Rhinehart moved passage of Senate Bill No. 2092 on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1, which he then withdrew.

Rep. Kernell moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill 2092 by adding the following sentence to the end of the amendatory language Section 1:

If a policy is established that permits smoking in the workplace, such policy shall also provide a non-smoking area in the workplace.

On motion, Amendment No. 1 was adopted.

Rep. Herron moved to amend as follows:

**Amendment No. 2**

Amend Senate Bill No. 2092 by adding the following language at the end of the amendatory language of Section 1:

Provided, however, if the administrative head of a facility which provides health care determines that it would not be in the best interest of the patients utilizing such facility for a smoking area to be established inside the facility, the provisions of this section to provide an area indoors where smokers are permitted to smoke shall not apply to such facility.

On motion, Amendment No. 2 failed to be adopted by the following vote:

Ayes. . . . .	43
Noes. . . . .	45
Present and not voting. . . . .	2

Representatives voting aye were: Armstrong, Austin, Bell, Bittle, Bivens, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Davis (Gibson), Gaia, Garrett, Givens, Halteman, Hassell, Henry (Putnam), Herron, Hobbs, Holcomb, Holt, Hubbard, Jackson, Kernell, Kisber, Niceley, Nuber, Odom, Peroulas, Pinion, Purcell, Ridgeway, Robinson (Davidson), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Williams, Wood -- 43.

Representatives voting no were: Anderson, Bragg, Buck, Burchfield, Burnett, Cain, Cole, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Duer, Good, Harrill, Haun, Head, Henry (Roane), Hillis, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Phillips, Rhinehart, Robinson (Hamilton), Robinson (Washington), Turner (Hamilton), Turner, L. (Shelby), Ussery, West, Winningham, Wix, Wolfe, Mr. Speaker Murray -- 45.

Representatives present and not voting were: Pruitt, Yelton -- 2.

Thereupon, Rep. Rhinehart moved that Senate Bill No. 2092, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	58
Noes. . . . .	34
Present and not voting. . . . .	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bragg, Buck, Burnett, Cain, Chiles, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Givens, Good, Gunnels, Harrill, Haun, Head, Henry (Roane), Hillis, Hobbs, Holt, Hubbard, Huskey, Jones, R. (Shelby), King, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Washington), Stamps, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Winningham, Wix, Wolfe, Mr. Speaker Murray -- 58.

Representatives voting no were: Austin, Bittle, Bivens, Burchfield, Byrd, Callicott, Coffey, Dixon, Garrett, Halteman, Hassell, Henry (Putnam), Herron, Holcomb, Jackson, Kent, Kernell, Kisber, Moore (Shelby), Napier, Niceley, Nuber, Odom, Peroulas, Purcell, Robinson (Davidson), Scruggs, Severance, Shirley, Sipes, Stallings, Turner, C. (Shelby), Williams, Wood -- 34.

Representatives present and not voting were: Robinson (Hamilton), Yelton -- 2.

A motion to reconsider was tabled.



**\*House Bill No. 1799 -- Sports --** Authorizes University of Tennessee and board of regents football coaches' to participate in American Football Coaches Retirement Trust. Amends TCA, Title 8, Ch. 25, Pt. 3.

Rep. Rhinehart moved that House Bill No. 1799 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 1714 -- Telecommunications --** Grants immunity to directors of telephone cooperatives. Amends TCA 48-58-601.

Rep. Buck moved that House Bill No. 1714 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee amendment as follows:

**Amendment No. 1**

Amend House Bill No. 1714 by deleting the amendatory language of SECTION 1 and substituting instead the following:

( ) Telephone cooperatives organized or, by virtue of conversion or otherwise, operating under Tennessee Code Annotated, Title 65, Chapter 29;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Buck moved that House Bill No. 1714, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

House Bill No. 1716 -- Municipal Government -- Revises beginning date for commissioner's term of office. Amends TCA 6-20-109.

On motion, House Bill No. 1716 was made to conform with Senate Bill No. 1750.

On motion, Senate Bill No. 1750, on same subject, was substituted for House Bill No. 1716.

Rep. Buck moved that Senate Bill No. 1750 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

House Bill No. 1920 -- Motor Vehicles -- Authorizes dark tinted windows on motor vehicles under certain circumstances. Amends TCA 55-9-107.

Rep. Scruggs moved that House Bill No. 1920 be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1920 by deleting the amendatory language of Section 1 and substituting instead the following:

( ) Notwithstanding the provisions of subsection (a)(1) to the contrary, any person with a medical condition that is adversely affected by ultra-violet light may submit a statement to the commissioner of safety from that person's physician certifying that the person has a medical condition which requires reduction of light transmission in the windows of his vehicle in excess of the standards established in subsection (a). The commissioner shall submit the certified statement to the department's medical review board for evaluation. If the review board finds the exemption warranted, it shall recommend that the commissioner authorize the exemption, and the degree of tinting exemption which is appropriate. The commissioner shall then supply a certificate or decal, indicating the degree of exemption, to the applicant who shall display it in his or her motor vehicle.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Scruggs moved that House Bill No. 1920, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	51
Noes. . . . .	44
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burnett, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Gaia, Garrett, Givens, Gunnels, Halteman, Harrill, Haun, Henry (Roane), Hobbs, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), King, Kisber, Love, McAfee, Moody, Moore (Lawrence), Napier, Odom, Phillips, Pinion, Purcell, Ridgeway, Robinson (Washington), Scruggs, Webb, West, Wheeler, Winningham -- 51.

Representatives voting no were: Austin, Bell, Burchfield, Byrd, Cain, Callicott, Chiles, Davidson, DeBerry, Dixon, Hassell,

Head, Henry (Putnam), Herron, Hillis, Holcomb, Holt, Kent, Kernell, McDaniel, Moore (Shelby), Naifeh, Niceley, Nuber, Peroulas, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Williams, Wix, Wolfe, Wood, Mr. Speaker Murray -- 44.

Representatives present and not voting were: Good -- 1.

A motion to reconsider was tabled.

\*House Bill No. 1661 -- Sunset Laws -- Extends termination date of law enforcement training academy. Amends TCA, Title 4, Chs. 3, 7, 29; Title 37, Ch. 1; Title 38, Ch. 8.

Rep. King moved that House Bill No. 1661 be passed on third and final consideration.

Rep. King moved adoption of Government Operations Committee amendment as follows:

Amendment No. 1

AMEND House Bill No. 1661 by adding the following as a new section to immediately precede the effective date section:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 38-8-104, is amended by adding the following as a new subsection to be appropriately designated:

(1) The academy shall promulgate fees for the training of police recruits or police officers. Such fees shall be sufficient to enable the academy to be fiscally self supporting.

(2) The academy shall promulgate rules and regulations to establish criteria for determining whether to waive or to reduce fees for law enforcement agencies which would suffer financial hardship in obtaining law enforcement training for police recruits or police officers. No fee shall be waived or reduced without the written approval of the chairman.

(3) In no event shall the academy waive or reduce fees for any individual receiving law enforcement training who is not sponsored by a municipality, the state of Tennessee, or a political subdivision thereof.

AND FURTHER AMEND in Section 2 by deleting the figure "1997" wherever it may be found and by substituting instead the figure "1998".

AND FURTHER AMEND in Section 2 by deleting the figure "1996" and by substituting instead the figure "1997".

CHAIR TO DEBERRY

Mr. Speaker Murray relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

On motion, Amendment No. 1 was adopted.

Rep. Dixon moved that House Bill No. 1661, as amended, be re-referred to the Calendar and Rules Committee, which motion prevailed.

\*House Bill No. 2206 -- Motor Vehicles -- Requires registration plates for certain vehicles to be marked with expiration date. Amends TCA 55-4-103.

Rep. Clark moved that House Bill No. 2206 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

\*House Bill No. 1746 -- Criminal Offenses -- Bans paramilitary training under certain circumstances. Amends TCA, Title 39, Ch. 17, Pt. 3.

Rep. DePriest moved that House Bill No. 1746 be reset to next week to the Calendar for Wednesday, March 7, 1990, which motion prevailed.

House Bill No. 2032 -- Taxes, Gasoline, Petroleum Products -- Exempts certain fuel taxes received by certain political subdivisions from customer controlled pumps under certain circumstances. Amends TCA, Title 67, Ch. 3, Pt. 4.

Rep. DePriest moved that House Bill No. 2032 be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2032 by deleting Section 1 of the printed bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-3-402, is amended by redesignating subdivision (2) of subsection (a) thereof as subdivision (2)(A) and by adding a new subdivision (B) as follows:

(B) In lieu of the provisions set out in (A) the gasoline or distillate may be delivered to the governmental body through a customer controlled pump. A bonded dealer or distributor may locate such pumps at a location other than his primary storage location. Such pump shall neither be located on any retail filling station island nor shall such pump be connected to a retail storage tank. A person associated with a retail filling station shall neither take part in the dispensing or sale of fuel from such pumps, nor shall such person have in his possession any key that will activate any meter that may be used for dispensing such fuel. A customer controlled pump shall have the ability to identify each customer separately and only that customer shall be allowed to purchase fuel through that identity at the pump. One (1) invoice exclusively for sales from a customer controlled pump shall be issued on the last day of any month in which a tax refund on sales to governmental entities is claimed. Such invoice shall clearly identify itself as an invoice solely for sales through a customer controlled pump. Sales through a customer controlled pump shall not be subject to the minimum purchase requirements of this part.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. DePriest moved that House Bill No. 2032, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**House Bill No. 2224 -- Education --** Authorizes LEA to operate school system on alternative plan under certain circumstances. Amends TCA, Title 49, Ch. 1, Pt. 2.

On motion, House Bill No. 2224 was made to conform with Senate Bill No. 2342.

On motion, Senate Bill No. 2342, on same subject, was substituted for House Bill No. 2224.

Rep. Davidson moved that Senate Bill No. 2342 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 0877 -- Liens -- Establishes contractor's lien as only valid lien on real property to secure improvements of certain value. Amends TCA, Title 66, Ch. 11.

Rep. Shirley moved that House Bill No. 877 be passed on third and final consideration.

Rep. C. Turner (Shelby) moved adoption of Labor and Consumer Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 877 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 11, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section \_\_\_\_.

(a) Notwithstanding any other provision of law to the contrary, except as provided in subsection (b) of this section, on individual contracts to improve residential real property, a lien or right of lien upon such property shall exist only in favor of the general contractor who enters into such contract with the owner of such property or his agent. No lien, except the general contractor's lien, shall exist upon such property under such contract in favor of a subcontractor, materialman, mechanic, laborer, founder, machinist, or any other person who does the work or any part of the work, or furnishes the materials or any part of the materials, or puts thereon any fixtures, machinery, or materials, ordered by or through such persons.

(b) When the owner of residential real property and the general contractor are one and the same person, or such an individual controls entities owning such property and general contracting business, on individual contracts to improve residential real property, a lien or right of lien upon such property shall exist only in favor of the general contractor, subcontractors of the general contractor, and suppliers who contract with the general contractor. Provided that no lien in favor of the subcontractor or such suppliers shall exist on such real property from and after the date the general contractor pays the subcontractor or supplier for services performed or material delivered by that supplier or sub contractor. No lien, except as provided in this subsection, shall exist upon such property under such contract in favor of a materialman, mechanic, laborer, founder, machinist, or any other person who does the work or any part of the work, or furnishes the materials or any part of the materials, or puts thereon any fixtures, machinery, or materials, ordered by or through such persons.



SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to all contracts to which this act applies entered into on and after the effective date of this act.

On motion, Amendment No. 1 was adopted.

Rep. Nuber moved that House Bill No. 877 be reset next week to the Calendar for Wednesday, March 7, 1990.

Rep. Clark moved to table the motion to reset House Bill No. 877, which motion failed by the following vote:

Ayes. . . . .	49
Noes. . . . .	41
Present and not voting. . . . .	2

Representatives voting aye were: Austin, Bell, Burnett, Byrd, Cain, Callicott, Clark, Collier, Copeland, Crain, Davidson, DePriest, Dixon, Givens, Halteman, Harrill, Hassell, Haun, Head, Herron, Hillis, Kent, Kernell, King, Kisbar, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Sipes, Stamps, Turner, C. (Shelby), Ussery, West, Williams, Winningham, Wolfe, Yelton, Mr. Speaker Murray -- 49.

Representatives voting no were: Anderson, Armstrong, Bittle, Bivens, Buck, Burchfield, Chiles, Coffey, Cole, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Gaia, Garrett, Gunnels, Henry (Putnam), Henry (Roane), Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Moody, Niceley, Nuber, Peroulas, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Webb, Wix -- 41.

Representatives present and not voting were: Good, Hobbs -- 2.

Rep. Love moved the previous question, which motion failed by the following vote:

Ayes. . . . .	43
Noes. . . . .	42

Representatives voting aye were: Austin, Bell, Burnett, Byrd, Cain, Clark, Coffey, Cole, Crain, Cross, Davidson, Davis (Gibson), Dixon, Duer, Gaia, Givens, Halteman, Harrill, Hassell, Head, Henry (Roane), Herron, Jones, R. (Shelby), Kent, Kernell, King, Love, Moore (Lawrence), Moore (Shelby), Naifeh, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Washington), Turner, C. (Shelby), West, Williams, Winningham, Yelton -- 43.

Representatives voting no were: Armstrong, Bivens, Bragg, Buck, Burchfield, Callicott, Chiles, Collier, Curlee, Davis (Cocke), Davis (Knox), Garrett, Good, Gunnels, Haun, Henry (Putnam), Hobbs,

Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kisber, McAfee, McDaniel, Moody, Napier, Niceley, Nuber, Severance, Sipes, Stallings, Stamps, Starnes, Turner, L. (Shelby), Ussery, Webb, Wheeler, Wix, Wood, Mr. Speaker Murray -- 42.

Thereupon, Rep. Shirley moved passage of House Bill No. 877, as amended, on third and final consideration.

Rep. Buck moved that House Bill No. 877 be reset to the next available space on the next available Calendar (for Thursday, March 1, 1990), which motion prevailed by the following vote:

Ayes	55
Noes	35

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Chiles, Coffey, Cole, Collier, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Garrett, Good, Gunnels, Henry (Putnam), Henry (Roane), Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, King, Kisber, McAfee, Moody, Napier, Niceley, Nuber, Peroulas, Phillips, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, Wheeler, Williams, Wix, Wolfe, Mr. Speaker Murray -- 55.

Representatives voting no were: Austin, Bell, Byrd, Cain, Callicott, Clark, Davidson, Dixon, Givens, Halteman, Harrill, Hassell, Haun, Head, Herron, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Love, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Odom, Pinion, Pruitt, Purcell, Shirley, Sipes, Stamps, Turner, C. (Shelby), West, Winningham, Yelton -- 35.

House Bill No. 1789 -- Tatoo Parlors -- Classifies misdemeanor offense concerning unlawful tattoo parlors. Amends TCA 62-38-109.

Rep. Starnes moved that House Bill No. 1789 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway,

Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 2315 -- Education -- Deletes certain provisions from the compulsory attendance requirement. Amends TCA 49-6-3005.

Rep. Herron moved that House Bill No. 2315 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	5

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifah, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Cole, Givens, Harrill, Huskey, Moody -- 5.

A motion to reconsider was tabled.

House Joint Resolution No. 0615 -- Naming and Designating -- Designates March 1, 1990 as Role Reversal Day in the General Assembly.

Rep. Dixon moved that House Joint Resolution No. 615 be reset one week to the Calendar for Wednesday, March 7, 1990, which motion prevailed.

House Bill No. 0424 -- Deeds -- Requires certain persons to record all conveyances of land. Amends TCA, Title 66, Ch. 24, Pt. 1.

On motion, House Bill No. 424 was made to conform with Senate Bill No. 823.

On motion, Senate Bill No. 823, on same subject, was substituted for House Bill No. 424.

Rep. Head moved that Senate Bill No. 823 be passed on third and final consideration.

Rep. Head moved to amend as follows:

**Amendment No. 1**

AMEND Senate Bill No. 823 by deleting the language "four (4) parcels of real property in such development in any calendar year, then such person must record all instruments for the conveyance of land, contracts, agreements or other instruments for the sale of such land" in the first sentence of the amendatory language of the first paragraph of the original Section 1 and by substituting instead the language "two (2) parcels of real property in such development in any calendar year, then such person must record a boundary survey showing the proposed development of the land within thirty (30) days of the sale of the second such parcel of real property".

AND FURTHER AMEND by deleting the second sentence of the first paragraph of the amendatory language of the original Section 1 in its entirety.

AND FURTHER AMEND by deleting the figure "1989" in the original Section 2 and by substituting instead the figure "1990".

On motion, Amendment No. 1 was adopted.

On motion of Rep. Head, Amendment No. 2 was withdrawn.

Rep. Head moved to amend as follows:

**Amendment No. 2**

Amend Senate Bill No. 823 by deleting the third paragraph in its entirety, and by substituting instead the following language:

There is hereby created a civil cause of action for failure to record a boundary survey showing the proposed development of land as provided in this section for any person who discovers such noncompliance. A prevailing plaintiff shall be entitled to liquidated damages in an amount of one hundred dollars (\$100.00) or the cost of obtaining a survey on such property, whichever is greater, plus reasonable attorneys' fees and costs.

The provisions of this act shall only apply in counties having a population of not less than 21,575 nor more than 21,675 according to the 1980 federal census or any subsequent federal census.

If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Head moved that Senate Bill No. 823, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

#### CONSENT CALENDAR

House Resolution No. 0104 -- Memorials, Professional Achievement -- Honors Ailene Click, Putnam County Teacher of the Year.

House Resolution No. 0105 -- Memorials, Congratulations -- Honors Pat Moore, Putnam County Teacher of the Year.

House Resolution No. 0106 -- Memorials, Professional Achievement -- Congratulates Carol Fuller, Putnam County Teacher of the Year.

House Resolution No. 0107 -- Memorials, Sports -- Honors Cookeville High School basketball coach Bill Davidson on his 600th victory.

House Joint Resolution No. 0651 -- Memorials, Professional Achievement -- Honors Eddy Arnold.

House Bill No. 2594 -- Niota -- Changes term of office and election date for certain city officers. Amends Chapter 48, Private Acts of 1919, as amended.

**Senate Joint Resolution No. 0481 -- Memorials, Heroism --**  
 Congratulates Kenneth Davidson and David Woodruff on their  
 successful emergency landing.

**Senate Joint Resolution No. 0482 -- Memorials, Congratulations**  
 -- Honors Fairview High School freshman engineering team for placing  
 second in national competition.

Pursuant to Rule No. 50, Rep. Phillips moved that all House  
 Bills having companion Senate Bills and are on the Clerk's desk be  
 conformed and substituted for the appropriate House Bill, that all  
 Senate and House Bills on the Consent Calendar be passed on third  
 and final consideration, all House Resolutions and House Joint  
 Resolutions be adopted, and all Senate Joint Resolutions on the  
 Consent Calendar be concurred in, which motion prevailed by the  
 following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Anderson, Armstrong, Austin,  
 Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain,  
 Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross,  
 Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox),  
 DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good,  
 Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam),  
 Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard,  
 Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent,  
 Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore  
 (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom,  
 Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway,  
 Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),  
 Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes,  
 Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery,  
 Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton,  
 Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

#### MESSAGE CALENDAR

#### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 0800 -- Workers' Compensation --** Authorizes  
 employee to file petition contesting employer's cessation or change  
 of temporary disability payments. Amends TCA, Title 50, Ch. 6.

#### Senate Amendment No. 1

AMEND House Bill No. 800 by inserting the words "failure of  
 an employee to submit to employer requests for reasonable

medical examinations by the treating physician or" between the words "than" and "final" in the amendatory language of the original Section.

AND FURTHER AMEND by adding the following language at the end of the amendatory language of the original Section 1:

Such hearing shall be held within twenty (20) days after such petition is filed."

Rep. Buck moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 800, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gals, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. Pruitt moved that the rules be suspended for the purpose of introducing House Resolution No. 109 out of order, which motion prevailed.

\*House Resolution No. 0109 -- Memorials, Public Service -- Commends Howard Taylor for exemplary spiritual service. by \*Pruitt, \*DeBerry, \*Turner, L., \*King, \*West, \*Dixon, \*Austin, \*Robinson, C.B., \*Armstrong, \*Love.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pruitt, the resolution was adopted by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

#### MOTION TO RECONSIDER

Rep. Starnes moved to lift from the table the motion to reconsider House Bill No. 1789, which motion prevailed.

**House Bill No. 1789 -- Tatoo Parlors --** Classifies misdemeanor offense concerning unlawful tattoo parlors. Amends TCA 62-38-109.

Rep. Starnes moved to reconsider our action in passing House Bill No. 1789, which motion prevailed.

On motion, House Bill No. 1789 was made to conform with Senate Bill No. 1693.

On motion, **Senate Bill No. 1693**, on same subject, was substituted for House Bill No. 1789.

Rep. Starnes moved that **Senate Bill No. 1693** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam),



Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Kisber moved to suspend Rule No. 49 (48-hour rule) to allow bills moved from Calendar and Rules on Wednesday, February 28, 1990, to be set on floor calendar(s) Thursday, March 1, 1990 and to allow more than 25 bills to be placed on the calendar(s), which motion prevailed.

### RULES SUSPENDED

Rep. Kisber moved to suspend Rule No. 71 relative to the distribution of Committee Amendments twenty-four hours prior to consideration, which motion prevailed.

### RULES SUSPENDED

Rep. Wood moved to suspend Rule No. 49 (48-hour rule) to allow House Bill No. 1995, if moved out of the Calendar and Rules Committee on Thursday, March 1, 1990, to be set on floor calendar(s) Thursday, March 1, 1990, which motion prevailed by the following vote:

Ayes. . . . .	75
Noes. . . . .	13
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Gaia, Good, Gunnels, Halteman, Harrill, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Nuber, Peroulas, Pruitt, Purcell, Rhinehart, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 75.

Representatives voting no were: Austin, Bell, Byrd, Cain, Givens, Hassell, Herron, Kernell, Moore (Shelby), Odom, Shirley, Turner, C. (Shelby), Winningham -- 13.

Representatives present and not voting were: Pinion -- 1.

A motion to reconsider was tabled.

#### SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 877:** Rep(s). Crain, Kernell, King, C Turner, U A Moore and Odom added as prime sponsor(s).

**House Bill No. 1559:** Rep(s). Callicott added as prime sponsor(s).

**House Bill No. 1801:** Rep(s). Buck and Burnett added as prime sponsor(s).

**House Bill No. 1818:** Rep(s). Armstrong, Byrd, R Jones, U Jones, Shirley and L Turner added as prime sponsor(s).

**House Bill No. 1884:** Rep(s). Callicott and Stamps added as prime sponsor(s).

**House Bill No. 1974:** Rep(s). Callicott added as prime sponsor(s).

**House Bill No. 2224:** Rep(s). Hobbs and West added as prime sponsor(s).

**House Bill No. 2492:** Rep(s). Kisber added as prime sponsor(s).

**House Bill No. 2541:** Rep(s). Armstrong, Byrd, King, R Jones and L Turner added as prime sponsor(s).

**House Bill No. 2545:** Rep(s). Armstrong, Byrd, King, Shirley and L Turner added as prime sponsor(s).

#### ANNOUNCEMENTS

The Speaker announced the following ruling regarding **Rule No. 77** and directed that it be spread in the Journal.

Representative DeBerry rose on a point of order and asked the Speaker for a ruling under Rule 77. The question propounded for a ruling is does a "no" vote on the Consent Calendar act as an objection and thereby require all bills on the Consent calendar to be "...placed at the foot of the regular calendar for consideration on the day following removal..?"

Under Rule 50, any member may object to a bill or resolution on the Consent Calendar and if the objection is raised before the vote, the bill or resolution is removed.

This procedure has traditionally been accomplished by a written objection being filed with the clerk prior to a vote being recorded. The reason for this procedure is to allow the objector to obtain more information about the bill or speak against it during floor debate the next day.

Based on this finding the Speaker rules that a "no" vote does not constitute an objection as contemplated under Rule 77.

### INTRODUCTION OF RESOLUTIONS

House Resolution No. 0108 -- General Assembly, Studies -- Creates joint study committee to study Tennessee Apiary Law. by \*Hobbs, \*Gunnels, \*DePriest, \*Stallings, \*Robinson Ruth, \*Niceley, \*Cole.

The Speaker referred House Resolution No. 108 to the Agriculture Committee.

House Resolution No. 0110 -- Memorials, Public Service -- Commends Sergeant Major Paul R. Colemanm for active military service. by \*Davidson.

The Speaker referred House Resolution No. 110 to the Calendar and Rules Committee.

House Resolution No. 0111 -- Memorials, Professional Achievement -- Honors Ernest C. Withers for lifetime achievements as photojournalist and historian. by \*Turner L, \*Jones R.

The Speaker referred House Resolution No. 111 to the Calendar and Rules Committee.

\*House Joint Resolution No. 0652 -- General Assembly, Studies -- Creates special joint committee to study compulsory automobile insurance and financial responsibility. by \*Odom.

The Speaker referred House Joint Resolution No. 652 to the Transportation Committee.

House Joint Resolution No. 0653 -- Memorials, Congress -- Urges disapproval of Below Cost Commercial Timber Sale Pilot Program in Cherokee National Forest. by \*Hillis, \*Stallings, \*Moore U A, \*Naifeh.

The Speaker referred House Joint Resolution No. 653 to the Conservation and Environment Committee.

House Joint Resolution No. 0654 -- Memorials, Government Officials -- Urges Department of Education to develop earthquake

procedures for grades K-12. by \*Crain, \*Buck, \*Holt, \*Stallings, \*Davis Ray.

The Speaker referred House Joint Resolution No. 654 to the Education Committee.

House Joint Resolution No. 0655 -- Memorials, Professional Achievement -- Congratulates Charles Michael Layne on appointment as interim district attorney general for Coffee County. by \*Curlee.

The Speaker referred House Joint Resolution No. 655 to the Calendar and Rules Committee.

House Joint Resolution No. 0656 -- Memorials, Recognition -- Honor senior workers during "Hire the Older Worker Week". by \*Curlee.

The Speaker referred House Joint Resolution No. 656 to the Calendar and Rules Committee.

House Joint Resolution No. 0657 -- Memorials, Personal Achievement -- Honors Lisa Robertson, Miss Tennessee 1989. by \*Bivens, \*Copeland.

The Speaker referred House Joint Resolution No. 657 to the Calendar and Rules Committee.

House Joint Resolution No. 0658 -- Memorials, Recognition -- Honors Mt. Zion Missionary Baptist Church. by \*Jones R, \*Turner L.

The Speaker referred House Joint Resolution No. 658 to the Calendar and Rules Committee.

House Joint Resolution No. 0659 -- Memorials, Condolence -- Honors memory of Ray Evans. by \*Robinson C B, \*Starnes, \*Wood, \*Copeland, \*McAfee, \*Turner B.

The Speaker referred House Joint Resolution No. 659 to the Calendar and Rules Committee.

House Joint Resolution No. 0660 -- Memorials, Professional Achievement -- Honors John Wilson on being named Hamilton County historian. by \*Starnes, \*Robinson C B, \*Wood, \*Turner B, \*Copeland, \*McAfee.

The Speaker referred House Joint Resolution No. 660 to the Calendar and Rules Committee.

House Joint Resolution No. 0661 -- Memorials, Condolence -- Honors memory of M.C. Gross. by \*Starnes, \*Robinson C B, \*Wood, \*Turner B, \*Copeland, \*McAfee.

The Speaker referred House Joint Resolution No. 661 to the Calendar and Rules Committee.

House Joint Resolution No. 0662 -- Memorials, Condolence -- Honors memory of Nora Roberts. by \*Starnes, \*Robinson C B, \*Wood, \*Turner B, \*Copeland, \*McAfee.

The Speaker referred House Joint Resolution No. 662 to the Calendar and Rules Committee.

House Joint Resolution No. 0663 -- Memorials, Condolence -- Honors memory of Grant Adcox. by \*Starnes, \*Robinson C B, \*Wood, \*Turner B, \*Copeland, \*McAfee.

The Speaker referred House Joint Resolution No. 663 to the Calendar and Rules Committee.

House Joint Resolution No. 0664 -- Memorials, Condolence -- Honors memory of Jim Ballinger. by \*Starnes, \*Wood, \*Turner B, \*Copeland, \*McAfee.

The Speaker referred House Joint Resolution No. 664 to the Calendar and Rules Committee.

#### SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Senate Joint Resolution No. 0487 -- Memorials, Retirement -- Honors Walter R. Kern.

The Speaker referred Senate Joint Resolution No. 487 to the Calendar and Rules Committee.

#### RESOLUTIONS LYING OVER

\*Senate Joint Resolution No. 0431 -- Highway Signs -- Designates certain parkway in Clarksville as "101st Airborne (Air Assault) Parkway".

The Speaker referred Senate Joint Resolution No. 431 to the Transportation Committee.

\*Senate Joint Resolution No. 0448 -- Memorials, Congress -- Urges study of feasibility of straightening US 129 from Maryville to North Carolina line.

The Speaker referred Senate Joint Resolution No. 448 to the Transportation Committee.

\*Senate Joint Resolution No. 0457 -- Highway Signs -- Designates certain portion of State Highway 25W as "Lonas B. Chapman Memorial Highway".

The Speaker referred Senate Joint Resolution No. 457 to the Transportation Committee.

**\*Senate Joint Resolution No. 0458 -- Highway Signs --** Designates certain bridge on I-275 in Knox County as "Albert J. Henkel Bridge".

The Speaker referred Senate Joint Resolution No. 458 to the Transportation Committee.

**\*Senate Joint Resolution No. 0459 -- General Assembly, Studies --** Requests Tennessee Higher Education Commission to conduct study on graduate student stipends.

The Speaker referred Senate Joint Resolution No. 459 to the Education Committee.

**\*Senate Joint Resolution No. 0463 -- Highway Signs --** Names Camden Bypass the "Representative W.C. Herndon Jr. Memorial Bypass".

The Speaker referred Senate Joint Resolution No. 463 to the Transportation Committee.

**\*Senate Joint Resolution No. 0464 -- Highway Signs --** Renames the U.S. 70, Tennessee 1 bridge across Tennessee River between Humphreys and Benton Counties as Hickman-Lockhard Bridge".

The Speaker referred Senate Joint Resolution No. 464 to the Transportation Committee.

**\*Senate Joint Resolution No. 0465 -- Highway Signs --** Designates bridge spanning Tennessee River between Benton and Humphreys Counties on I-40 as "Senator John Wyly and Mildred Jolly Lashlee Memorial Bridge".

The Speaker referred Senate Joint Resolution No. 465 to the Transportation Committee.

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration.

**House Bill No. 2595 -- Alcoa --** Revises charter relative to ordinances. Amends Chapter 510, Private Acts of 1919, as amended. by \*Anderson, \*Huskey.

Passed first consideration.

**House Bill No. 2596 -- Williamson County --** Revises Adequate Facilities Tax Act to provide appeals procedure. Amends Chapter 118, Private Acts of 1987, as amended. by \*Callicott, \*Hobbs.

Passed first consideration.

**House Bill No. 2597 -- Williamson County --** Revises Adequate

School Facilities Tax Act to add appeals procedure. Amends Chapter 113, Private Acts of 1987. by \*Callicott, \*Hobbs.

Passed first consideration.

\*House Bill No. 2598 -- Courts, General Sessions -- Permits non-lawyer general sessions judges to receive salary supplement for juvenile jurisdiction. Amends Chapter , Public Acts of 1990. by \*Purcell.

Passed first consideration.

House Bill No. 2599 -- Bristol -- Revises charter. Amends Chapter 179, Private Acts of 1986, as amended. by \*Holcomb.

Passed first consideration.

House Bill No. 2600 -- Bartlett -- Provides for community design review commission. Amends Chapter 449, Acts of 1905, as amended. by \*Byrd.

Passed first consideration.

#### SENATE BILLS ON FIRST CONSIDERATION

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted.

\*Senate Bill No. 1643 -- Liens -- Requires owner-occupant of a single family residence be notified by subcontractor and material supplier to preserve lien rights; requires notice to contain certain information. Amends TCA, Title 66, Ch. 11.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1995.

\*Senate Bill No. 1806 -- Election Laws -- Permits partial paper ballot when voting machine will not accommodate entire ballot. Amends TCA, Title 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2083.

\*Senate Bill No. 2087 -- Taxes, Privilege -- Increases privilege tax on marriage. Amends TCA, Title 67, Ch. 4.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2033.

\*Senate Bill No. 2306 -- Sunset Laws -- Extends termination date of the publications committee. Amends TCA, Title 4, Chs. 1, 29; Title 12, Ch. 7.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2048.

**Senate Bill No. 2447 -- Highway Signs --** Designs large portion of I-40 as "Troy A. McGill Memorial Interstate Highway".

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 2336.

**Senate Bill No. 2596 -- Highway Signs --** Designates certain state highway "The Historic Avery Trace".

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 2568.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR  
February 28, 1990**

MR. SPEAKER: the officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Thursday, March 1, 1990**: House Resolution(s) No(s). 110 and 111; House Joint Resolution(s) No(s). 655, 656, 657, 658, 659, 660, 661, 662, 663 and 664; also, Senate Joint Resolution(s) No(s). 487.

PHILLIPS, Chairman.

**MESSAGE FROM THE SENATE  
February 28, 1990**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2580 and 2581, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS  
February 28, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1886, 2166, 2507 and 2510; also, House Joint Resolution(s) No(s). 514; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.



MESSAGE FROM THE SENATE

February 28, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1573, 1645, 1802, 1813, 2148, 2266 and 2370; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Senate Bill No. 1573 -- Public Funds and Financing -- Requires commissioner of conservation to develop a list of projects eligible for funding under natural resources trust fund; requires commissioner to make budget requests concerning such fund. Amends TCA, Title 11, Ch. 14, Pt. 3.

\*Senate Bill No. 1645 -- Bail, Bail Bonds -- Authorizes appointed and elected officials who are not in law enforcement to act as professional bondsmen. Amends TCA 40-11-313.

\*Senate Bill No. 1802 -- Insurance Companies, Agents, Brokers -- Requires policies to contain insurer's home office address. Amends TCA, Title 56, Ch. 2, Pt. 1.

\*Senate Bill No. 1813 -- Highways, Roads and Bridges -- Removes requirement of county legislative body approval of appointed road superintendent 1990 salary increases. Amends TCA 54-7-106.

Senate Bill No. 2148 -- Banks and Financial Institutions -- Authorizes interstate banking; removes regional limitation. Amends TCA, Title 45, Ch. 12.

Senate Bill No. 2266 -- Election Laws -- Clarifies recordkeeping procedures in counties using computer voting systems. Amends TCA, Title 2.

\*Senate Bill No. 2370 -- Alcoholic Beverages -- Removes certain restrictions placed on urban park centers located in certain counties. Amends TCA, Title 57.

ENGROSSED BILLS

February 28, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1714, 1799, 1920, 2032, 2206, 2315 and 2594; also, House Joint Resolution(s) No(s). 651; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 28, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2592; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

February 28, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1616, 1618, 1650, 1653, 1772, 1775, 1926, 2177, 2195, 2220, 2238, 2268 and 2269; also, Senate Joint Resolution(s) No(s). 469; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

February 28, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1578, 1817, 1979, 2188, 2195, 2410 and 2579; also, House Joint Resolution(s) No(s). 633 and 645; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM SENATE

February 28, 1990

MR. SPEAKER: I am directed to request the return of House Bill No. 1744, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

February 28, 1990

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 959.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

February 28, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s) 474, 507, 508 and 509; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

\*Senate Joint Resolution No. 0474 -- Highway Signs -- Provides for directional signs to Cumberland Caverns on I-24 and I-40.

Senate Joint Resolution No. 0507 -- Memorials, Personal Achievement -- Congratulates Kevin Barham, Reporter of Tennessee Future Farmers of America.

Senate Joint Resolution No. 0508 -- Memorials, Personal Achievement -- Congratulates Beth Johnson, Vice President of Tennessee Future Farmers of America.

Senate Joint Resolution No. 0509 -- Memorials, Recognition -- Honors Elie Wiesel, Nobel Peace Prize winner.

MESSAGE FROM THE SENATE

February 28, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s) 1912, 1942, 1979, 1986, 2032, 2324, 2339 and 2492; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

\*Senate Bill No. 1912 -- Motor Vehicles -- Prohibits use of spotlights or auxiliary lights attached to rear of certain types of trucks. Amends TCA, Title 55, Ch. 9, Pt. 4.

\*Senate Bill No. 1942 -- Highway Signs -- Makes owner of a non-complying sign liable for certain damages and costs. Amends TCA 54-21-105.

Senate Bill No. 1979 -- Bad Checks -- Enacts "The W.S. Hardy Act of 1990". Amends TCA 39-14-121.

\*Senate Bill No. 1986 -- Consumer Protection -- Makes contractual waiver of state law for membership camping unenforceable. Amends TCA, Title 47, Ch. 18, Pt. 4.

\*Senate Bill No. 2032 -- Economic and Community Development -- Creates disadvantaged business loan guarantee fund. Amends TCA, Title 4.

WEDNESDAY, FEBRUARY 28, 1990 -- SEVENTY-FIRST LEGISLATIVE DAY

\*Senate Bill No. 2324 -- Sunset Laws -- Extends termination date of commission on children and youth. Amends TCA, Title 4, Ch. 29; Title 37, Chs. 1, 3.

\*Senate Bill No. 2339 -- Driver Licenses -- Requires certification of payment of all fines and court costs under certain circumstances before reinstatement of driver license. Amends TCA 55-50-303.

Senate Bill No. 2492 -- Mortgages -- Prohibits certain modes of disbursement of funds at mortgage loan closings; establishes criminal penalties for violations.

### ROLL CALL

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 9:00 a.m., Thursday, March 1, 1990.